

# **EXHIBIT A**

**SECOND CIRCUIT DECISIONS FOLLOWING  
*VEGA v. CM AND ASSOC. CONSTR. MGMT., LLC*, 175 A.D. 3D 1144 (N.Y.  
1ST DEPT. 2019)**

**Decisions Denying Motions to Dismiss Claims Under NYLL § 191**

*Lipstein v. 20X Hospitality LLC d/b/a Spicy Moon*,  
No. 22 Civ. 4812 (JLR) (JW), 2023 WL 61240448 (S.D.N.Y. Sept. 19, 2023)

*Davis v. Banana Republic*,  
No. 21 Civ. 6160 (KAM) (VMS), 2023 WL 5959597 (E.D.N.Y. Sept. 14, 2023)

*Ramos v. Apple Inc.*,  
No. 22 Civ. 02761 (NSR), 2023 WL 5803739 (S.D.N.Y. Sept. 6, 2023)

*Birthwright v. Advanced Stores Company, Inc.*,  
No. 22 Civ. 0593 (GRB) (ST), 2023 WL 5718633 (E.D.N.Y. Sept. 5, 2023)

*Davis v. Banana Republic, LLC*,  
No. 21 Civ. 06160 (KAM) (VMS), 2023 WL 5152449 (E.D.N.Y. Jul. 31, 2023)

*Freeland v. Findlay's Tall Timbers Distribution Center, LLC*,  
No. 22 Civ. 6415 (FPG), 2023 WL 4457911 (W.D.N.Y. Jul. 11, 2023)

*Flores v. Cargill Inc.*,  
No. 23 Civ. 38 (DNH), 2023 WL 4199252 (N.D.N.Y. June 27, 2023)

*Rankine v. Levi Strauss & Co.*,  
No. 22 Civ. 03362 (LTS), 2023 WL 3582323 (S.D.N.Y. May 22, 2023)

*Nunez v. Executive Le Soleil New York LLC*,  
22 Civ. 4262 (KPF), 2023 WL 3319613 (S.D.N.Y. Mar. 9 2023)

*Bueno v. Buzinover*,  
No. 22 Civ. 2216 (PAE) (KHP), 2023 WL 2387113 (S.D.N.Y. Mar. 7 2023)

*Petrosino v. Fastenal Company*,  
No. 22 Civ. 705 (MAD) (DJS), 2023 WL 3496362 (N.D.N.Y. Mar. 17, 2023)

*Georgiou v. Harmon Stores, Inc.*,  
No. 22 Civ. 2861(BMC), 2023 WL 112805, (E.D.N.Y. Jan. 5, 2023)

*Confusione v. Autozoners, LLC*,  
No. 21 Civ. 1 (JMA) (AYS), 2022 WL 17585879 (E.D.N.Y. Dec. 12, 2022)

*Rosario v. Icon Burger Acquisition LLC*,  
No. 21 Civ. 4313 (JS) (ST), 2022 WL 17553319 (E.D.N.Y. Dec. 9, 2022)

*Rath v. Jo-Ann Stores, LLC,*  
No. 21 Civ. 791S, 2022 WL 17324842 (W.D.N.Y. Nov. 29, 2022)

*Levy v. Endeavor Air, Inc.,*  
No. 21 Civ. 4387 (ENV) (JRC), 2022 WL 16645829 (E.D.N.Y. Nov. 1, 2022)

*Gordon v. Bluetriton Brands, Inc.,*  
No. 22 Civ. 02138 (JMF), Docket No. 43 (S.D.N.Y. Oct. 28, 2022)

*Glaser v. Bath & Body Works, LLC,*  
No. 20 Civ. 02530 (WFK) (AYS) (E.D.N.Y. Sept. 28, 2022)

*Jones v. Nike Retail Services, Inc.,*  
No. 22 Civ. 3343, 2022 WL 4007056 (E.D.N.Y. Aug. 30, 2022)

*Gillett v. Zara USA, Inc.,*  
No. 20 Civ. 3734 (KPF), 2022 WL 3285275 (S.D.N.Y. Aug. 10, 2022)

*Katz v. Equinox Holdings, Inc.,*  
No. 20 Civ. 9856 (VEC), 2022 WL 1292262 (S.D.N.Y. Apr. 29, 2022)

*Mabe v. Wal-Mart Associates, Inc.,*  
No. 20 Civ. 00591, 2022 WL 874311 (N.D.N.Y. Mar. 24, 2022);

*Caul v. Petco Animal Supplies, Inc.,*  
No. 20 Civ. 03534 (RPK)(SJB), 2021 WL 4407856 (E.D.N.Y. Sept. 27, 2021)

*Rodrigue v. Lowe's Home Centers, LLC,*  
No. 21 Civ. 01127 (RPK)(RLM), 2021 WL 3848268 (E.D.N.Y. Aug. 27, 2021)

*Beh v. Community Care Companions Inc.,*  
No. 19 Civ. 1417(JLS)(HBS), 2021 WL 3914297 (W.D.N.Y. Feb. 1, 2021)

*Sorto v. Diversified Maint. Syst.,*  
LLC, No. 20 Civ. 1302 (JS)(SIL), 2020 WL 7693108 (E.D.N.Y. Dec. 28, 2020)

*Quintanilla v. Kabco Pharmaceuticals,*  
No. 19 Civ. 6752 (PKC)(CLP), Doc. No. 18 (E.D.N.Y., Apr. 17, 2020)

*Sarit v. Westside Tomato, Inc.,*  
No. 18 Civ. 11524 (RA), 2020 WL 1891983 (S.D.N.Y. Apr. 16, 2020)

*Duverny v. Hercules Medical P.C.,*  
No. 18 Civ. 7652 (DLC), 2020 WL 1033048 (S.D.N.Y. Mar. 3, 2020)

*Scott v. Whole Foods Group, Inc.,*  
No. 18 Civ. 0086, 2020 WL 9814095 (E.D.N.Y. Feb. 5, 2020)

**Decisions Denying Interlocutory Appeal of Motions To Dismiss NYLL § 191 Claims**

*Miner-Vargas v. Wal-Mart Associates, Inc.*,  
No. 20 Civ. 591 (TJM) (CFH), Docket No. 58 (N.D.N.Y. Mar 23, 2023).

*Rath v. Jo-Ann Stores, LLC*,  
No. 21 Civ. 791S, ECF No. 34 (W.D.N.Y. Dec. 13, 2022)

*Caul v. Petco Animal Supplies, Inc.*,  
No. 20 Civ. 3534 (RPK) (SJB), 2021 WL 6805889 (E.D.N.Y. Dec. 22, 2021)

*Caccavale v. Hewlett Packard*, No. 20 Civ. 974 (GRB) (JMW), Minute Entry Dated Feb. 2, 2021  
(E.D.N.Y.)